

STEVEN F. GRUEL (CSBN 213148)
Attorney at Law

655 Montgomery Street, Suite 1700
San Francisco, California 94122
Telephone Number (415) 989-1253
Fax Number (415) 576-1442
attystevengruel@sbcglobal.net

Attorney for Glenio Silva

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR-07-0678-JSW
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER REGARDING MODIFICATION OF
Vs.)	BRIEFING SCHEDULE FOR MAY 15, 2008
)	HEARING
GLENIO SILVA,)	AS MODIFIED HEREIN
)	
Defendant.)	
)	
)	
)	

Defendant Glenio Silva, by and through his attorney, Steven F. Gruel, and the United States of America, by and through Assistant United States Attorney Denise Marie Barton, hereby submit this proposed stipulation respectfully requesting that that Court modify the briefing schedule for the first wave of motions for the following reasons and in the following manner:

1. On April 3, 2008, the Court, after hearing from counsel, ordered that by April 11, 2008, the defense file any motion requesting a Bill of Particulars and file any motions regarding discovery. The Court also ordered that government's oppositions be filed on April 25, 2008. The hearing on any filed motions was set for May 8, 2008 at 2:30 p.m.;

2. Also, on April 3, 2008, the Court ordered that the parties meet and confer regarding any discovery disputes;
3. Predicated on the Court's order to meet and confer, on April 7, 2008, the defense provided the government with its letter outlining points of discussions / requests for further discovery;
4. Predicated on the Court's order to meet and confer, on April 8, 2008, the government responded to the defendant's April 7, 2008 discovery letter;
5. On April 9, 2008, counsel for both parties conferred telephonically regarding discovery disputes and discussed and narrowed several remaining discovery issues. The parties discovery discussions are ongoing and more discussion time may result in further narrowing of the need or topics for discovery motions;
6. By the Clerk's Notice, the motion's hearing date has been rescheduled to May 15, 2008 at 2:30 p.m.;
7. In light of the above, and as a consequence of the parties' meet and confer session, and in an effort to further move this case forward in a orderly fashion, the parties respectfully request a minor alteration in the briefing schedule, which will not delay the scheduled hearing, as follows:
 - A. The defense will file its motion for a Bill of Particulars on April 11, 2008 as previously ordered. The government will file any opposition on April 25, 2008 as previously ordered and the defense will file its response on May 2, 2008 as previously ordered;
 - B. The defense will be permitted to file any discovery motion on or before April ¹⁶~~18~~, 2008 and the government may file any opposition on or before

1 April 30, 2008

2 ~~May 2, 2008~~. The defense will file any reply to the government's

3 oppositions on or before May ⁷~~9~~, 2008.

4 These modifications are made to ensure the Court has sufficient time before the hearing to
5 consider the parties' briefs.

6 SO STIPULATED:

7 DATED: 4/09/08

8 /s/
9 STEVEN F. GRUEL
10 Attorney for Glenio Silva

11 DATED: 4/09/08

12 /s/
13 DENISE MARIE BARTON
14 Assistant United States Attorney

15 ~~PROPOSED~~ ORDER

16 PREDICATED on the above stipulation and GOOD CAUSE APPEARING,
17 the briefing schedule as outlined above hereby replaces the schedule ordered by the Court on
18 April 3, 2008.

19 IT IS SO ORDERED.

20 April 10, 2008

21 
22 HONORABLE JEFFREY S. WHITE
23 United States District Court Judge